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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,797	11/03/2003	Glen Van Datta	450133-04881	6263

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EXAMINER	
MEHRMANESH, ELMIRA	

ART UNIT	PAPER NUMBER
2113	

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/700,797	DATTA ET AL.	
	Examiner	Art Unit	
	Elmira Mehrmanesh	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to an amendment filed on July 24, 2006 for the application of Datta et al., for a "Violations in a peer-to-peer relay network" filed November 3, 2003.

Claims 1-28 are pending in the application.

Claims 1-28 are rejected under 35 USC § 103.

Claims 1, 2, 6, 12, and 17-24 have been amended.

Claims 25-28 have been added.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 2, 6, 10, 11, 16-19, 21-23, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holt et al. (U.S. Patent No. 6,829,634) in view of Baughman et al. (INFOCOM 2001. Twentieth Annual Joint Conference of the IEEE Computer and Communications Societies. Proceedings. IEEE, 22-26 April 2001) Entitled "Cheat-proof playout for centralized and distributed online games".

As per claim 1, Holt discloses a method of detecting and recovering from violations in a peer-to-peer relay network (col. 14, lines 64-65), comprising:

receiving a message at a peer system from a sending peer system connected to said peer system in a peer-to-peer relay network (col. 7, lines 59-63)

Holt fails to explicitly disclose manipulation of data to change the outcome.

Baughman teaches:

detecting a manipulation of data in said received message said manipulation of data changing the outcome of processing be the peer system (page 110, col. 2, lines 27-42)

and sending a manipulated data alert message to other peer systems connected to said peer system in said peer-to-peer relay network the manipulated data alert message identifying the sending peer responsible for the manipulation of data (page 110, col. 2, lines 27-42).

It would have been obvious to one of ordinary skill in the art at the time the invention to use the method of providing cheat-proof playout for online games of

Baughman et al.'s in combination with the peer-to-peer message broadcasting of system of Holt et al. to provide a secure transferring of messages.

One of ordinary skill in the art at the time the invention would have been motivated to make the combination because Holt et al. discloses a peer-to-peer network system for broadcasting messages (Fig. 1 and col. 4, lines 29-34). Baughman et al. discloses providing a cheat-proof playout for online games with multi-players for client-server (page 104, col. 1-2).

As per claim 2, Holt fails to explicitly disclose detecting cheating.

Baughman teaches:

said manipulation of data is a cheating violation (page 110, col. 2, lines 27-42).

As per claim 6, Holt fails to explicitly disclose detecting cheating.

Baughman teaches:

said manipulation of data is a security violation (page 110, col. 2, lines 27-42).

As per claim 10, Holt discloses ignoring further messages sent by said sending peer system (col. 9, lines 19-24).

As per claim 11, Holt discloses causing said sending peer system to disconnect from said peer-to-peer relay network (col. 9, lines 25-32).

As per claim 16, Holt discloses at least two peer systems are connected through the Internet (col. 4, lines 41-45).

As per claim 17, Holt discloses a peer system in a peer-to-peer relay network (col. 14, lines 64-65), comprising: means for receiving a message at a peer system from a sending peer system connected to said peer system in a peer-to-peer relay network (col. 7, lines 59-63)

Holt fails to explicitly disclose manipulation of data to change the outcome.

Baughman teaches:

detecting a manipulation of data in said received message said manipulation of data changing the outcome of processing be the peer system (page 110, col. 2, lines 27-42)

and sending a manipulated data alert message to other peer systems connected to said peer system in said peer-to-peer relay network the manipulated data alert message identifying the sending peer responsible for the manipulation of data (page 110, col. 2, lines 27-42).

As per claim 18, Holt fails to explicitly disclose detecting cheating.

Baughman teaches:

said manipulation of data is a cheating violation (page 110, col. 2, lines 27-42).

As per claim 19, Holt fails to explicitly disclose detecting cheating.

Baughman teaches:

said manipulation of data is a security violation (page 110, col. 2, lines 27-42).

As per claim 21, Holt discloses a program, storage medium, storing a computer-readable program that when executed on a processor cause the processor to execute a method in a peer system of a peer-to-peer relay network (col. 14, lines 64-65), the method comprising the steps of:

processing a received message at a peer system from a sending peer system connected to said peer system in a peer-to-peer relay network (col. 7, lines 59-63)

Holt fails to explicitly disclose manipulation of data to change the outcome.

Baughman teaches:

detecting a manipulation of data in said received message said manipulation of data changing the outcome of processing be the peer system (page 110, col. 2, lines 27-42)

and sending a manipulated data alert message to other peer systems connected to said peer system in said peer-to-peer relay network the manipulated data alert message identifying the sending peer responsible for the manipulation of data (page 110, col. 2, lines 27-42).

As per claim 22, Holt fails to explicitly disclose detecting cheating.

Baughman teaches:

said manipulation of data is a cheating violation (page 110, col. 2, lines 27-42).

As per claim 23, Holt fails to explicitly disclose detecting cheating.

Baughman teaches:

said manipulation of data is a security violation (page 110, col. 2, lines 27-42).

As per claim 27, Holt discloses ignoring messages from the sending peer responsible for the manipulation of data (col. 9, lines 19-24).

As per claim 28, Holt fails to explicitly disclose disconnecting the data manipulation sending peer.

Baughman teaches:

forcing the sending peer responsible for the manipulation of data to disconnect from the peer-to-peer relay network (page 110, col. 2, lines 43-45).

Claims 3-5, 7-9, 12-15, 20, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holt et al. (U.S. Patent No. 6,829,634) in view of Baughman et al. (INFOCOM 2001. Twentieth Annual Joint Conference of the IEEE Computer and Communications Societies. Proceedings. IEEE, 22-26 April 2001) Entitled "Cheat-proof playout for centralized and distributed online games" and in further view of Morais et al. (U.S. PGPUB No. 20030229779).

As per claim 3, Holt in view of Baughman fails to explicitly disclose comparing messages.

Morais teaches:

receiving a respective additional message from each of at least one other peer systems connected to said peer system (page 5, paragraph [0064] lines 1-11). Morais et al. discloses game console generating Security Parameters Value Index.

wherein detecting said cheating violation includes: comparing said message from said sending peer system with each of said additional messages (page 6, paragraph [0076] lines 5-15)

and determining that said message from said sending peer system is different from at least one of said additional messages (page 6, paragraph [0076] lines 5-15).

It would have been obvious to one of ordinary skill in the art at the time the invention to use the method of providing security for online gaming of Morais et al. in the peer-to-peer message broadcasting of system of Holt et al. to provide a secure transferring of messages.

One of ordinary skill in the art at the time the invention would have been motivated to make the combination because Holt et al. discloses a peer-to-peer network system for broadcasting messages (Fig. 1 and col. 4, lines 29-34). Morais et al. discloses providing security for an online gaming system (page 1, paragraph [0017]). Morais et al. teaches of peer-to-peer approach for online gaming implementation (page 1, paragraph [0003]).

As per claim 4, Holt in view of Baughman fails to explicitly disclose comparing messages.

Morais teaches:

detecting said cheating violation includes: generating predicted data (page 5, paragraph [0064] lines 1-11). Morais et al. discloses game console generating Security Parameters Value Index.

comparing said message from said sending peer system with said predicted data; and determining that said message from said sending peer system is different from said predicted data (page 6, paragraph [0076] lines 5-15).

As per claim 5, Holt view of Baughman fails to explicitly disclose predicted data.

Morais teaches:

sending said predicted data to each peer system connected to said peer system in said peer-to-peer relay network (Fig. 4b and page 11, paragraph [0123]).

As per claim 7, Holt view of Baughman fails to explicitly disclose detecting invalid data.

Morais teaches:

detecting said security violation includes detecting invalid data in said message (page 6, paragraph [0076] lines 5-15).

As per claim 8, Holt view of Baughman fails to explicitly disclose comparing messages.

Morais teaches:

detecting said security violation includes detecting said message was sent using improper sending procedures (page 9, paragraph [0105]).

As per claim 9, Holt view of Baughman fails to explicitly disclose denial of service.

Morais teaches:

said message was sent as part of denial of service attack (page 5, paragraph [0053]).

As per claim 12, Holt view of Baughman fails to explicitly disclose a server.

Morais teaches:

sending said manipulated data alert message to a server connected to said peer system (Fig. 1, elements 112, 116, 118, 122, 126 and page 8, paragraph [0102]).

As per claim 13, Holt view of Baughman fails to explicitly disclose a data update.

Morais teaches:

the data relayed by peer systems is update data for a network environment (page 8, paragraph [0100]).

As per claim 14, Holt view of Baughman fails to explicitly disclose a data update.

Morais teaches:

the data relayed by peer systems is update data for an online game (page 1, paragraph [0017]).

As per claim 15, Holt view of Baughman fails to explicitly disclose a game console.

Morais teaches:

at least one peer system is a network-enabled game console (Fig. 1, elements 102(1) to 102(n) and page 1, paragraph [0018]).

As per claim 20, Holt view of Baughman fails to explicitly disclose a server.

Morais teaches:

means for sending said data manipulation alert message to a server connected to said peer system (Fig. 1, elements 112, 116, 118, 122, 126 and page 8, paragraph [0102]).

As per claim 24, Holt view of Baughman fails to explicitly disclose a server.

Morais teaches:

sending manipulation of data alert message to a server connected to said peer system (Fig. 1, elements 112, 116, 118, 122, 126 and (page 8, paragraph [0102]).

As per claim 25, Holt view of Baughman fails to explicitly disclose comparing messages.

Morais teaches:

detecting the manipulation of data comprises the peer system detecting a difference in the data of the message received from the sending peer from the data of the same message received from other peer systems connected to the peer system (page 6, paragraph [0076] lines 5-15).

As per claim 26, Holt view of Baughman fails to explicitly disclose comparing messages.

Morais teaches:

relaying back the received message to the sending peer by the peer system comparing the relayed back message by the sending peer to the received message to identify a peer responsible for the manipulation of data (page 6, paragraph [0076] lines 5-15).

Response to Arguments

Applicant's arguments see pages 10-14, filed July 24, 2006 with respect to the rejection(s) of claim(s) 1-24 under 35 USC § 102 and 35 USC § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made over Holt et al. (U.S. Patent No. 6,829,634) in view of Baughman et al. (INFOCOM 2001. Twentieth

Annual Joint Conference of the IEEE Computer and Communications Societies. Proceedings. IEEE, 22-26 April 2001) Entitled "Cheat-proof playout for centralized and distributed online games" and further view of Morais et al. (U.S. PGPUB No. 20030229779) Refer to the corresponding section of the claim analysis for details.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1 .136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1 .136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elmira Mehrmanesh whose telephone number is (571) 272-5531. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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